



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE HERALD, PRIMEO, and THEMA :
SECURITIES LITIGATION :
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09 Civ. 289 (RMB)

ORDER

In light of the motions, pending before United States District Judges Jed S. Rakoff and Colleen McMahon, to dismiss various actions brought by Irving H. Picard, Esq. ("Trustee") for, among other reasons, alleged lack of standing, see, e.g., Picard v. HSBC Bank PLC, No. 11 Civ. 763 (Rakoff, J.); Picard v. JP Morgan Chase & Co., 11 Civ. 913 (McMahon, J.), the Court believes it is premature to entertain Trustee Irving H. Picard's request, by letter dated June 13, 2011, for a pre-motion conference to discuss a proposed motion to intervene in the above-captioned matter. This denial is without prejudice.

Dated: New York, New York
June 14, 2011

A handwritten signature in black ink, appearing to read "RMB".

RICHARD M. BERMAN, U.S.D.J.